

TIMOTHY ST. GEORGE  
804.697.1254 telephone  
804.698.6013 facsimile  
tstg@troutmansanders.com

# TROUTMAN SANDERS

TROUTMAN SANDERS LLP  
Attorneys at Law  
1001 Haxall Point  
Richmond, VA 23219  
804.697.1254 telephone  
troutmansanders.com

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MEMO ENDORSED

February 27, 2015

**VIA ECF**

Hon. P. Kevin Castel  
United States District Court, Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: *Kulig v. Midland Funding, LLC*, No. 13-cv-4715  
Joint Request for Extension of Class Certification Filing Deadline

*Application  
Granted.  
So ORDERED  
USPS  
3-2-15*

Dear Judge Castel:

[The parties hereby jointly request a 21-day extension of the Class Certification filing deadline, currently set by Court Order for March 3, 2015.] The extension is sought so that the parties may devote their time and resources to attempting to settle this case.

As you are aware, Defendants seek to have the Court enforce its prior order excluding Charles Delbaum, Esq. as putative class counsel. (See Dkt. Nos. 131, 133.) Plaintiff's substituted counsel – Brian Bromberg, Esq. – has opposed that request. (See Dkt. No. 132.) The Court has not yet ruled on that request. In the interim, however, the Court Ordered that the parties proceed with briefing on any renewed Motion for Class certification, setting a deadline of March 3, 2015 for Plaintiff to file any such motion. (Dkt. No. 139.)

The parties appreciate that the Court now appears to intend to decide the issue of Mr. Delbaum's continued participation in the context of a motion for class certification. The parties also recognize that further briefing on a motion for class certification will consume significant resources. Thus, the parties request that the Court continue the deadline for Plaintiff to move for class certification until March 24, 2015.

Mr. Bromberg, Plaintiff, Mr. Delbaum and Defendants have agreed to mediate their dispute without the direct involvement of Mr. Delbaum. If the parties reach resolution on the terms of settlement by March 24, 2015, they will then ask the Court to approve any classwide settlement and to resolve who can be appointed as class counsel – Mr. Bromberg, individually, or both Mr. Bromberg and Mr. Delbaum. The parties agree that Defendants' participation in the settlement discussions is without any prejudice to their ability to seek Mr. Delbaum's exclusion from this case as proposed class counsel and/or the exclusion of his time from any fee petition. The parties also agree that Mr. Delbaum's lack of direct participation in the settlement discussions is without any prejudice to Plaintiff's ability to seek Mr. Delbaum's appointment as class counsel.

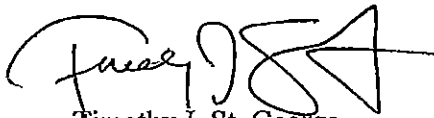
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The parties recognize that this action has been pending for well over a year. However, Mr. Bromberg's involvement in the case is relatively recent, and Defendants have not yet had the opportunity to engage in settlement discussions with Mr. Bromberg. This brief requested extension will allow the parties to explore the potential resolution of this case in good faith, which has the potential to save substantial resources.

This is the first request for an extension. Mr. Bromberg has reviewed and approved of this submission. This request is jointly made and will not affect any other deadlines in the case.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy J. St. George", with a stylized, sweeping flourish extending to the right.

Timothy J. St. George